

REMARKS

Claims 1-52 are pending in the subject application. Species claims 2, 10, 14, 15, 21, 32, 36, 37 and 46-48 have been withdrawn from consideration pending allowance of a generic or linking claim. In the Office Action dated April 11, 2003, the Examiner maintained the rejection of claims 1, 3-9, 11-13, 16-20, 22-31, 33-35, 38-45 and 49-52, under § 102(e) as anticipated over Cotton et al. (US Publication No. US 2001/0010852A1). More specifically, the Examiner was of the opinion that the declaration filed pursuant to 37 C.F.R. § 1.131 was not effective to swear behind Cotton et al. Request for reconsideration is requested in light of the following Remarks.

The undersigned thanks Examiner Kim for granting the telephone interview of July 10, 2003. In that interview, the Examiner discussed his opinion that the 1.131 declaration was not effective for lack of an adequate showing of diligence between conception and reduction to practice. The undersigned pointed out, among other things, that diligence was not pertinent to the present application, because the invention had been actually reduced to practice prior to the effective date of Cotton et al. Upon review of the declaration and consultation with the supervisor, the Examiner agreed to reconsider the application and directed the undersigned file the present Request for Reconsideration accordingly.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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Enclosures:

Postcard

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